

### **REMARKS/ARGUMENTS**

These remarks are made in response to the Office Action of June 3, 2005 (the "Office Action"). This response is filed after the 3-month shortened statutory period, and as such, a petition for a retroactive extension of time is submitted herewith. The Examiner is authorized to charge the appropriate extension fee to Deposit Account 50-0951, to charge \$100.00 for four (4) additional dependent claims, to charge any fee underpayments and to credit any overpayments to Deposit Account 50-0951.

Claims 25-31 were rejected in the Office Action under 35 U.S.C. § 112 and claims 17, 19, 20-22, 32 and 33 were rejected under 35 U.S.C. § 102(e). Claims 28, 29, 31 and 34 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

#### **I. Rejection under 35 U.S.C. § 112 and Response**

Claims 25-31 were rejected in the Office Action under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention; however, claim 25 was indicated to be allowable if rewritten to overcome the 35 U.S.C. § 112, second paragraph, rejections. Claims 26, 27 and 30 were also rejected for informalities. Claims 25, 26, 27 and 30 have been amended to address the Examiner's comments, and in accordance with the Examiner's suggestion, claim 25 has been amended to an independent claim including all the limitations of base claim 17. Accordingly, claim 25 is believed to be allowable.

#### **II. Rejections under 35 U.S.C. § 102(e) and Response**

Claims 17, 19, 20-22, 32 and 33 were rejected as being anticipated by U.S. Patent No. 5,798,394 to Myers, *et al.* (hereinafter Myers). Although Applicant respectfully disagrees with the Examiner's assertions regarding Myers, the Applicant has amended the claims in accordance with the subject matter noted as allowable in order to expedite issuance of this application.

Appln. No. 10/070,918

Amendment dated Nov. 3, 2005

Reply to Office Action of June 3, 2005

Docket No. 4006-007-30

### III. Allowable Claims

Claims 28, 29, 31 and 34 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicant notes that claims 28, 29 and 31 depend from claim 25, which was indicated to be allowable if rewritten to overcome the 35 U.S.C. § 112, second paragraph, rejections. Thus, Applicant believes that claims 28, 29 and 31 are allowable without being rewritten into independent form. Claims 19-24 and 32 are amended herein to depend from allowable claim 25 and are believed to be allowable due to their dependence upon an allowable base claim and for further features recited therein.

Additionally, new independent claim 35 is presented herewith and includes all the limitations of claim 34 and all the limitations of the claims from which claim 34 depended (i.e. claims 24 and 17). In accordance with the Examiner's comments regarding the allowability of claim 34, new independent claim 35 is believed to be allowable. Likewise, claims 36-42, which are dependent from claim 35, are believed to be allowable due to their dependence upon an allowable base claim and for further features recited therein.

### IV. Conclusion

For the foregoing reasons, Applicant believes that this application is now in full condition for allowance, which action is respectfully requested. Applicant requests that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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